

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

KENNETH TUROCZI and)	
TYRENE TUROCZI,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-23-00095-JD
)	
TRAVELERS COMMERCIAL)	
INSURANCE COMPANY,)	
)	
Defendant.)	

ORDER

Before the Court is Plaintiffs Kenneth Turoczi and Tyrene Turoczi’s Motion to Comply (“Motion”) [Doc. No. 36]. The Motion seeks an order directing Plaintiffs’ former counsel, Gary Gardenhire, to return to Plaintiffs records relating to this case. The Court previously granted Mr. Gardenhire leave to withdraw as counsel for Plaintiffs, subject to a condition that he continue to accept service of subsequent papers and forward such papers to Plaintiffs until they enter appearances pro se or have new counsel enter appearances on their behalf. Order [Doc. No. 31]. The Court later terminated that condition due to an apparent total breakdown in the relationship between Mr. Gardenhire and Plaintiffs. Order [Doc. No. 33]. Mr. Gardenhire is subject to no condition or obligation pertaining to this action as a result of an order of this Court.¹

¹ As an attorney licensed to practice in Oklahoma, Mr. Gardenhire is subject to the Oklahoma Rules of Professional Conduct. *See* Okla. Stat. tit. 5, Ch. 1, App. 3-A. The issue presented by the Motion appears to be one better addressed to the Oklahoma Bar Association. *See* Motion at 3 (referencing “an ethics violation not to return client documents”).

Plaintiffs have not identified any authority by which the Court may compel Mr. Gardenhire to return or produce any document. *See* Fed. R. Civ. P. 7(b)(1)(B) (requiring that a motion must state with particularity the grounds for seeking the order). Mr. Gardenhire has been terminated as counsel of record, and he is not a party to this action. Therefore, the Court denies the Motion.

IT IS SO ORDERED this 31st day of July 2023.

A handwritten signature in black ink, appearing to read "Jodi W. Dishman", written over a horizontal line.

JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE